

**SUPREME COURT MINUTES
THURSDAY, JANUARY 3, 2002
SAN FRANCISCO, CALIFORNIA**

S101248 Jose Velazquez, Plaintiff and Appellant
4th Dist. v.
E025952 Metropolitan Water District et al., Defendants and Respondents
Div. 2 Petitions for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Hooker v. California Dept. of Transportation*, S091601 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.
Moreno, J.

S101836 In re the Marriage of Karen and Charles Erik Harris
4th Dist. -----
D036144 Karen Butler, Appellant
Div. 1 v.
Charles Erik Harris et al., Respondents
Petition for review GRANTED.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.
Moreno, J.

S102143 The People, Plaintiff and Respondent
2nd Dist. v.
B145552 Rudy Raymond Abasta, Defendant and Appellant
Div. 5 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Manduley v. Superior Court*, S095992 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Appointment of counsel is deferred pending further order of the court.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.
Moreno, J.

S102162 The People, Plaintiff and Respondent
2nd Dist. v.
B145089 Raul Gomez Gutierrez, Defendant and Appellant
Div. 7 Petition for review GRANTED.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.
Moreno, J.

S102744 Fabian Benabente, Jr., Plaintiff and Respondent
5th Dist. v.
F034567 City of Madera et al., Defendants and Appellants
Pursuant to written request of petitioner the above-entitled
petition for review is ordered withdrawn.

S103032 In re Kenton Keading
on
Habeas Corpus
Petition for writ of habeas corpus DENIED.

1st Dist. Frank M. Hampton, Petitioner
A084514 v.
Div. 2 Workers' Compensation Appeals Board et al., Respondents
S101968 Petition for review DENIED.

1st Dist. People, Respondent
A086570 v.
Div. 4 Khyle Armando Briscoe et al., Appellants
S101846 Petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

1st Dist. Ric Schiff et al., Appellants
A087171 v.
Div. 4 Michael J. Prados, Respondent
S101991 Petition for review DENIED.

1st Dist. People, Plaintiff and Appellant
A087254 v.
Div. 3 Paul Demarco, Defendant and Appellant
S102141 Petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

1st Dist. People, Respondent
A087930 v.
Div. 1 Larry Dixon, Appellant
S102367 Petition for review DENIED.

1st Dist. West Bay Builders Incorporated, Appellant
A089343 v.
Div. 1 City of Martinez, Respondent
S101808 N.E. Carlson Construction Inc., Real Party in Interest
Petition for review DENIED.

1st Dist. People, Respondent
A089591 v.
Div. 2 Gerard Jones, Appellant
S102351 Request to take judicial notice granted.
Petition for review DENIED.

1st Dist. People, Respondent
A089939 v.
Div. 2 Eric Warren Green, Appellant
S102130 Petition for review DENIED.

1st Dist. People, Respondent
A090388 v.
Div. 1 Robert Hartmann et al., Appellants
S102582 Petition for review DENIED.

1st Dist. People, Respondent
A090411 v.
Div. 2 Rex Olisuru Ogunniyi, Appellant
S102165 Petition for review DENIED.

1st Dist. People, Respondent
A090570 v.
Div. 4 Brandon E. Groves, Appellant
S102467 Petition for review DENIED.

1st Dist. Michael H. Clement Corporation et al., Appellants
A090584 v.
Div. 5 Joel Keller et al., Respondents
S102040 Petition for review DENIED.
The request for an order directing publication of the opinion is denied.

1st Dist. People, Respondent
A090805 v.
Div. 2 Calvinini David Walker, Appellant
S102167 Petition for review DENIED.

1st Dist. Dorothy Nash et al., Appellants
A090825 v.
Div. 4 Edward R. MacDonald et al., Respondents
S102064 Petitions for review DENIED.
The request for judicial notice is denied.
The application for substitution of parties is denied as moot.
Kennard, J., and Brown, J., are of the opinion the petitions should be granted.
The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed October 2, 2001, which appears at 92 Cal.App.4th 847. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

1st Dist. Willie M. Greene, Appellant
A090889 v..
Div. 4 Dillingham Construction Company, Respondent
S102229 Petition for review DENIED.

1st Dist. People, Respondent
A092058 v.
Div. 4 Jose Pepe Vargas, Appellant
S102238 Petition for review DENIED.

1st Dist. Stephen Tessler et al., Plaintiffs and Appellants
A092657 v.
Div. 5 California Department of Corrections et al.,
S102151 Defendants and Appellants
Petition for review DENIED.

1st Dist. People, Respondent
A092717 v.
Div. 4 Leonardo Bryant Smith, Appellant
S102216 Petition for review DENIED.

1st Dist. A093006 Div. 5 S102283	Michael Cary Concalves, Appellant v. State of California Department of Insurance et al., Respondents Petition for review DENIED.
1st Dist. A093113 Div. 5 S102202	People, Respondent v. Lamonta Andre Ramey, Appellant Petition for review DENIED. The request for an order directing publication of the opinion is denied.
1st Dist. A093125 Div. 5 S102193	John Allen, Plaintiff and Appellant v. Kevin McLaughlin et al., Defendants and Appellants Petition for review DENIED.
1st Dist. A093498 Div. 3 S102584	In re Melvin B., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Melvin B., Appellant Petition for review DENIED.
1st Dist. A093684 Div. 1 S102581	Alexander Reese, Appellant v. Hung Kim Wong et al., Respondents Petition for review DENIED.
1st Dist. A094321 Div. 1 S102448	People, Respondent v. Dan King, Appellant Petition for review DENIED.
1st Dist. A094416 Div. 5 S102271	Harold J. Rucker, Appellant v. Louis V. Baesel, Respondent Petition for review DENIED.

1st Dist. Fishermans Grotto et al., Petitioners
A096118 v.
Div. 5 Workers' Compensation Appeals Board et al., Respondents
S102585 Petition for review DENIED.

1st Dist. Duke K. Bolter, Petitioner
A096161 v.
Div. 2 Del Norte County Superior Court, Respondent
S101401 People, Real Party in Interest
Application for stay and petition for review DENIED.

1st Dist. In re John R. Tapia
A096716 on
Div. 3 Habeas Corpus
S102350 Petition for review DENIED.

1st Dist. Michael Wayne Hunter, Petitioner
A096762 v.
Div. 2 San Mateo County Superior Court, Respondent
S102669 People, Real Party in Interest
Application for stay and petition for review DENIED.

1st Dist. In re Charles S. Sowers
A097123 on
Div. 2 Habeas Corpus
S103079 Application for stay and petition for review DENIED.

2nd Dist. People, Respondent
B111761 v.
B147947 Russell Ray Rathert, Jr., Appellant
Div. 7 -----
S102014 In re Russell Ray Rathert, Jr. on Habeas Corpus
Petition for review DENIED.

2nd Dist. The People, Plaintiff and Respondent
B121816 v.
Div. 7 Reginald L. Yarborough, Defendant and Appellant
S102491 Petition for review DENIED.

2nd Dist. Diane Reifschneider, Appellant
B123338 v.
Div. 4 Regents of the University of California, Respondent
S102329 Petition for review DENIED.

2nd Dist. People, Respondent
B124850 v.
Div. 5 Jesse Patrick Ramirez, Appellant
S102498 Petition for review DENIED.

2nd Dist. Community Assisting Recovery Incorporated, Appellant
B128480 v.
Div. 4 Aegis Security Insurance Company, Respondent
S102077 Petition for review DENIED.
Chin, J., was recused and did not participate.

2nd Dist. Debra Kline et al., Appellants
B129833 v.
Div. 7 Redevelopment Agency of Pomona et al., Respondents
S101899 Petitions for review DENIED.
Chin, J., was recused and did not participate.

2nd Dist. Stanley Kolodziey et al., Respondents
B131659 v.
Div. 4 Kmart Corporation, Appellant
S102591 Petition for review DENIED.

2nd Dist. Jose Antonio Cooke, Appellant
B132311 v.
Div. 2 Los Angeles Unified School District, Respondent
S102223 Petition for review DENIED.

2nd Dist. Kyan Tucker, Plaintiff and Appellant
B133851 v.
Div. 1 County of Los Angeles, Defendant and Appellant
S102260 Petition for review DENIED.

2nd Dist. Claire Z. Hanna, Appellant
B136367 v.
Div. 3 Farmers Insurance Group et al., Respondents
S102342 Petition for review DENIED.

2nd Dist. John Hinz, Appellant
B136960 v.
Div. 2 Municipal Court of the Long Beach Judicial District, Respondent
S102244 People, Real Party in Interest
Petition for review DENIED.

2nd Dist. People, Respondent
B137306 v.
Div. 3 Ritch Briant et al., Appellants
S101703 Petitions for review DENIED.

2nd Dist. National American Insurance Company of California, Respondent
B140157 v.
Div. 4 Century Surety Company, Appellant
S102008 Petition for review DENIED.

2nd Dist. People, Plaintiff, Appellant and Respondent
B140335 v.
Div. 5 Anthony Roy Shivers, Defendant, Appellant and Respondent
S101700 Petitions for review DENIED.
Kennard, J., and Moreno, J., are of the opinion the plaintiff's
petition should be granted.

2nd Dist. County of San Bernardino, Appellant
B140704 v.
Div. 2 State of California, Respondent
S102231 Petition for review DENIED.

2nd Dist. People, Respondent
B140909 v.
Div. 3 Kevin Darnell Anderson, Appellant
S101739 Petition for review DENIED.

2nd Dist. People, Respondent
B141159 v.
Div. 1 Garryl Mark Hoy, Appellant
S102119 Petition for review DENIED.

2nd Dist. People, Respondent
B141273 v.
Div. 7 Andrew Hernandez, Appellant
S102221 Petition for review DENIED.

2nd Dist. B141637 Div. 5 S101646	Leopoldo Meraz, Appellant v. Farmers Insurance Exchange, Respondent Petition for review DENIED.
2nd Dist. B141941 Div. 5 S102553	People, Respondent v. Victor H. Martinez et al., Appellants Petitions for review DENIED.
2nd Dist. B142104 Div. 5 S102272	People, Respondent v. Eva Hernandez et al., Appellants Petition for review DENIED.
2nd Dist. B142112 Div. 1 S102513	People, Respondent v. Frank Edward Meadows, Appellant Petition for review DENIED.
2nd Dist. B142133 Div. 1 S01913	Ronald Crowell, Appellant v. DCH Health Services et al., Respondents Petition for review DENIED.
2nd Dist. B142843 Div. 4 S101788	Arthur Paul Jones, Plaintiff, Cross-defendant and Appellant v. Royal Thrift and Loan Company, Defendant, Cross-complainant and Appellant Michelle Kramer, Cross-defendant, Cross-complainant and Appellant Petition for review DENIED.
2nd Dist. B143068 Div. 5 S102053	Michael J. Mack, Appellant v. State Bar of California, Respondent Petition for review DENIED.
2nd Dist. B143091 Div. 5 S102034	People, Respondent v. Roberto R. Gallardo et al., Appellants Petitions for review DENIED.

2nd Dist. Carolyn Gamlowski, Appellant
B143133 v.
Div. 6 Board of Retirement, Respondent
S102275 Petition for review DENIED.

2nd Dist. Helen Ryan Frazer, as Trustee, etc., Appellant
B143319 v.
Div. 1 Peter I. Bersin et al., Respondents
S102311 Petition for review DENIED.

2nd Dist. People, Respondent
B143947 v.
Div. 5 Rodney Allen Williams, Appellant
S102381 Petition for review DENIED.

2nd Dist. People, Respondent
B144075 v.
Div. 4 Patrick D. Pearson, Appellant
S102416 Petition for review DENIED.

2nd Dist. People, Respondent
B144187 v.
Div. 5 Bodijar Zachariev, Appellant
S102245 Petition for review DENIED.

2nd Dist. People, Respondent
B144272 v.
Div. 7 Hubert Smith, Appellant
S102512 Petition for review DENIED.

2nd Dist. People, Respondent
B144374 v.
Div. 3 Artemio Escamilla Sanchez, Appellant
S102061 Petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B144455 v.
Div. 6 Rey Carmona Sierra, Appellant
S102088 Petition for review DENIED.

2nd Dist. B144923 Div. 5 S102274	People, Respondent v. Allen Dontay Weatherspoon, Appellant Petition for review DENIED.
2nd Dist. B144936 Div. 2 S102502	People, Respondent v. Leroy F. Hawkins, Appellant Petition for review DENIED.
2nd Dist. B145392 Div. 5 S102185	People, Respondent v. Willam Thomas Perry, Appellant Petition for review DENIED.
2nd Dist. B145446 Div. 4 S101793	People, Respondent v. Lucio Rodriguez, Appellant Petition for review DENIED. Kennard, J., is of the opinion the petition should be granted.
2nd Dist. B145447 Div. 5 S102288	People, Respondent v. Bobby Kimbrough, Appellant Petition for review DENIED.
2nd Dist. B145634 Div. 6 S102277	Sharon Harrison et al., Appellants v. Board of Retirement, Santa Barbara County Employees Retirement, Respondent Petition for review DENIED.
2nd Dist. B145934 B052551 Div. 5	People, Respondent v. Michael W. Turner, Appellant Petition for review DENIED.
2nd Dist. B145935 Div. 7 S102551	People, Respondent v. Carl Marks, Appellant Petition for review DENIED.

2nd Dist. B145940 Div. 6 S102174	People, Respondent v. Peter Mark McKenney, Appellant Petition for review DENIED.
2nd Dist. B145953 Div. 4 S102380	People, Respondent v. Roman Ramos Cruz, Appellant Petition for review DENIED.
2nd Dist. B146018 Div. 3 S102356	In re Vincent S., a Person Coming Under the Juvenile Court Law ----- Los Angeles Dept. of Children & Family Svcs., Respondent v. Susan S., Objector and Appellant Petition for review DENIED.
2nd Dist. B146175 Div. 4 S102612	People, Respondent v. Jose Velasquez, Appellant Petition for review DENIED.
2nd Dist. B146467 Div. 2 S102549	People, Respondent v. Anthony Gerald Garcia, Appellant Petition for review DENIED.
2nd Dist. B146639 Div. 1 S102460	People, Respondent v. Corey James Neuffer, Appellant Petition for review DENIED.
2nd Dist. B146662 Div. 1 S102156	People, Respondent v. Monya D. Ward, Appellant Petition for review DENIED. Kennard, J., is of the opinion the petition should be granted.
2nd Dist. B146729 Div. 7 S102503	People, Respondent v. Harry A. Jolly, Appellant Petition for review DENIED.

2nd Dist. B147225 Div. 7 S102376	People, Respondent v. Ronald Treadway, Appellant Petition for review DENIED.
2nd Dist. B147260 Div. 1 S101823	People, Respondent v. Zacharias Mushonga et al., Appellants Petitions for review DENIED.
2nd Dist. B147350 Div. 1 S102289	People, Appellant v. Robert A. Hinojos, Appellant Petition for review DENIED.
2nd Dist. B147728 Div. 7 S102544	People, Respondent v. Michael Griffin, Appellant Petition for review DENIED.
2nd Dist. B147840 Div. 5 S102505	People, Respondent v. Michael Ronald Rush, Appellant Petition for review DENIED.
2nd Dist. B148138 Div. 1 S102431	People, Respondent v. Alvin James Tyson, Appellant Petition for review DENIED.
2nd Dist. B148177 Div. 5 S102340	People, Respondent v. Juan Carlos Mejia, Appellant Petition for review DENIED.
2nd Dist. B148236 Div. 7 S102457	People, Respondent v. Christopher T. Hendrick, Appellant Petition for review DENIED.

2nd Dist. B148320 Div. 6 S102508	People, Respondent v. Deandre Keith Hall, Appellant Petition for review DENIED.
2nd Dist. B148657 Div. 3 S102387	In re Stephen O., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Stephen O., Appellant Petition for review DENIED.
2nd Dist. B148978 Div. 6 S102347	People, Respondent v. Juan A. Cruz, Appellant Petition for review DENIED.
2nd Dist. B149512 Div. 1 S102144	Joanne Kay Ward, Petitioner v. Los Angeles County Superior Court, Respondent Albertsons Incorporated, Real Party in Interest Petition for review DENIED.
2nd Dist. B149759 Div. 5. S101881	In re the Marriage of Carolyn Crook and John L. Shedd ----- Carolyn Crook, Appellant v. John L. Shedd, Respondent Petition for review DENIED.
2nd Dist. B150607 Div. 2 S101348	In re Teresa Acosta et al. on Habeas Corpus Petition for review DENIED.
2nd Dist. B150877 Div. 7 S101678	Barmas, Inc., Petitioner v. Los Angeles County Superior Court, Respondent Francesco Galasso et al., Real Parties in Interest Petition for review DENIED.

2nd Dist. Albertsons, et al., Petitioners
B151957 v.
Div. 6 Workers' Compensation Appeals Board et al., Respondents
S102045 Petition for review DENIED.

2nd Dist. In re Paul Pedersen
B152787 on
Div. 6 Habeas Corpus
S101452 Petition for review DENIED.

2nd Dist. Rebecca McMillan, Petitioner
B152941 v.
Div. 6 Workers' Compensation Appeals Board et al., Respondents
S102390 Petition for review DENIED.

2nd Dist. City of San Buenaventura, Petitioner
B153116 v.
Div. 4 Workers' Compensation Appeals Board et al., Respondents
S102324 Petition for review DENIED.

2nd Dist. Beverlywood Bakery et al., Petitioners
B153279 v.
Div. 2 Workers' Compensation Appeals Board et al., Respondents
S102391 Petition for review DENIED.

2nd Dist. Tony Johnson, Petitioner
B153529 v.
Div. 1 Superior Court of Los Angeles County, Respondent
S102388 People, Real Party in Interest
 Petition for review DENIED.

2nd Dist. Torrance Memorial Medical Center
B153666 v.
Div. 5 Los Angeles County Superior Court, Respondent
S101742 Janice Demoss, Real Party in Interest
 Petition for review DENIED.

2nd Dist. Mary Corson, Petitioner
B153685 v.
Div. 2 Los Angeles County Superior Court, Respondent
S102558 Palmdale School District et al., Real Parties in Interest
 Petition for review DENIED.

2nd Dist. In re Ashley W., a Person Coming Under the Juvenile Court Law
B154108 -----
Div. 1 Los Angeles County Superior Court, Respondent
S102337 v.
Department of Children & Family Services, Real Party in Interest
Petition for review DENIED.

2nd Dist. Richard Smitzer, Petitioner
B154131 v.
Div. 3 Los Angeles County Superior Court, Respondent
S102386 City of Redondo Beach, Real Party in Interest
Petition for review DENIED.

3rd Dist. People, Respondent
C032492 v.
S101810 Nico Luciano Vasquez et al., Appellants
Petitions for review DENIED.

3rd Dist. People, Respondent
C032822 v.
S102529 Steven Joseph Kallo, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C033004 v.
S102543 Dennis Lindsay Oates, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C033133 v.
S102545 Lori Ann Woods, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C033297 v.
S102369 Mykel Hawkins, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C033662 v.
S102256 Troy Lee Spear, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C034138 v.
S102240 Charles Leroy Fulton, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C034224 v.
S101910 Alberto Gutierrez, Appellant
Petition for review DENIED.
Baxter, J., and Brown, J., are of the opinion the petition should
be granted.
The request for an order directing depublication of the opinion is
denied.

3rd Dist. Jose Andre, as Trustee, etc., Respondent
C034356 v.
S101948 City of West Sacramento, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C034636 v.
S102298 Lee Ceascer Candate, Appellant
Petition for review DENIED.

3rd Dist. In re J.T., a Person Coming Under the Juvenile Court Law
C034668 -----
S102599 Sacramento County Dept. Health & Human Svcs., Respondent
v.
Mother of J.T., Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C035005 v.
S102173 Steven Willam Hendrix, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C035104 v.
S102058 Joseph Clarence Messer, Appellant
Petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

3rd Dist. People, Respondent
C035146 v.
S102180 Calvin Coolidge Johnson III, Appellant
Petition for review DENIED.

3rd Dist. Scott R.J. Feller, Appellant
C035510 v.
S101702 State Board of Forestry, Respondent
Petition for review DENIED.

3rd Dist. People, Respondent
C035900 v.
S102345 Joseph William Marlen, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C035960 v.
S102519 Danny Lee Lopez, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C035986 v.
S102375 Frederick Marcus Boyd, Jr., Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C036051 v.
S102394 Karen Marie Pete, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C036851 v.
S102273 Mary Frances Piper, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C036885 v.
S102600 Thomas James Slater, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C037159 v.
S102358 Bobby Joe Floyd, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C037351 v.
S102302 James Angelo Rickett, Appellant
Petition for review DENIED.

3rd Dist. Thaomai Vobouxasinh, Petitioner
C039740 v.
S102835 San Joaquin County Superior Court, Respondent
People, Real Party in Interest
Application for stay and petition for review DENIED.

4th Dist. People, Respondent
D033892 v.
Div. 1 Bayard Devell Davis, Appellant
S102623 Petition for review DENIED.

4th Dist. JLRB Associates, Plaintiff, Cross-defendant and Appellant
D034521 v.
Div. 1 Jenny Craig Inc., et al., Defendants, Cross-complainants
S102436 and Appellants
Petition for review DENIED.

4th Dist. People, Respondent
D035173 v.
Div. 1 James Roosevelt Wiggers, Appellant
S101815 Petition for review DENIED.

4th Dist. People, Respondent
D035247 v.
D038684 Scott Tran, Appellant
Div. 1 -----
S102033 In re Scott Tran on Habeas Corpus
Petition for review DENIED.

4th Dist. D035394 Div. 1 S102554	Sarasota Inc., Respondent v. Willis A. Laughlin, Appellant Petition for review DENIED.
4th Dist. D035520 Div. 1 S102379	People, Respondent v. Billy Dean McCall, Appellant Petition for review DENIED.
4th Dist. D035554 Div. 1 S102227	People, Respondent v. Thach Ngoc Dang, Appellant Petition for review DENIED.
4th Dist. D035555 Div. 1 S102481	People, Respondent v. Ruben Gonzalez Tamayo, Appellant Petition for review DENIED.
4th Dist. D035680 Div. 1 S102239	People, Respondent v. Michael Lee Whittaker, Appellant Petition for review DENIED.
4th Dist. D036573 Div. 1 S102493	People, Respondent v. Salvatore Gino Borsellino, Appellant Petition for review DENIED.
4th Dist. D036649 Div. 1 S102343	People, Respondent v. Randy Gene Barfield, Appellant Petition for review DENIED.
4th Dist. D037133 Div. 1 S102526	People, Respondent v. Paul Michael Oros, Appellant Petition for review DENIED.

4th Dist. D037197 Div. 1 S102564	Estate of Jacqueline Vickery, Deceased ----- Daniel J. Harney, as Executor, etc., Petitioner and Appellant v. Arthur B. Marlin, Objector and Respondent Petition for review DENIED.
4th Dist. D039101 Div. 1 S102803	John W. Dalton, Petitioner v. San Diego County Superior Court, Respondent Ralphs Grocery Company, Real Party in Interest Application for stay and petition for review DENIED.
4th Dist. E025914 Div. 2 S102660	Patricia Urquhart, Appellant v. Life Care Centers of America, Respondent Petition for review DENIED.
4th Dist. E026852 Div. 2 S102440	W.B. Contractors Incorporated, Cross-defendant, Cross-complainant and Appellant v. Bramalea California Incorporated, Cross-complainant, Cross-defendant and Appellant Petition for review DENIED.
4th Dist. E027388 Div. 2 S102235	People, Respondent v. Mario Rangel Rodriguez, Appellant Petition for review DENIED.
4th Dist. E027424 Div. 2 S102056	People, Respondent v. David Lee Roberts et al., Appellants Petitions for review DENIED.
4th Dist. E027756 Div. 2 S102262	People, Respondent v. Richard Edward Cox, Appellant Petition for review DENIED.

4th Dist. People, Respondent
E027792 v.
Div. 2 David Coles, Appellant
S102237 Petition for review DENIED.

4th Dist. People, Respondent
E027840 v.
Div. 2 Cory Michael Anweiler, Appellant
S102586 Petition for review DENIED.

4th Dist. People, Respondent
E027949 v.
Div. 2 Rheal Glann Hosmer, Appellant
S102425 Petition for review DENIED.

4th Dist. Susie Rudzik, Respondent
E028004 v.
Div. 2 Loma Linda University Medical Center, Appellant
S101597 Petition for review DENIED.

4th Dist. People, Respondent
E028048 v.
Div. 2 Maximo Ramos, Appellant
S102520 Petition for review DENIED.

4th Dist. Mark McFadden, Respondent
E028151 v.
Div. 2 Patrick Villa et al., Appellants
S102103 Petition for review DENIED.

4th Dist. People, Respondent
E028181 v.
Div. 2 Quintin R. Cross, Appellant
S102556 Petition for review DENIED.

4th Dist. People, Respondent
E028355 v.
Div. 2 Scott Troy Cook, Appellant
S102246 Petition for review DENIED.

4th Dist. E028403 Div. 2 S102147	Jeannette V. Strub et al., Appellants v. PGA West II Residential Association, Respondent Petition for review DENIED.
4th Dist. E028543 Div. 2 S101972	People, Respondent v. Jose Luis Carrillo, Appellant Petition for review DENIED.
4th Dist. E028608 Div. 2 S102573	People, Respondent v. Freda Merline Butler, Appellant Petition for review DENIED.
4th Dist. E028710 Div. 2 S102236	People, Respondent v. Lindley Troy Geborde, Appellant Petition for review DENIED.
4th Dist. E028797 Div. 2 S102214	In re Ruben G., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Ruben G., Appellant Petition for review DENIED.
4th Dist. E028876 Div. 2 S102318	People, Respondent v. Steven Mark Otteson, Appellant Petition for review DENIED.
4th Dist. E029358 Div. 2 S102589	People, Respondent v. Cedric Lavalie Lockridge, Appellant Petition for review DENIED.
4th Dist. E029367 Div. 2 S102566	People, Respondent v. Gregory Postell, Appellant Petition for review DENIED.

4th Dist. City of Palm Springs, Petitioner
E029929 v.
Div. 2 Riverside County Superior Court, Respondent
S101974 Desert Water Agency, Real Party in Interest
Petition for review DENIED.

4th Dist. In re D'Andre D., a Person Coming Under the Juvenile Court Law
E030063 -----
Div. 2 People, Respondent
S101805 v.
D'Andre D., Appellant
Petition for review DENIED.
The application to submit an appendix in lieu of a record is
denied.

4th Dist. Southern California Edison Company, Petitioner
E030295 v.
Div. 2 Workers' Compensation Appeals Board et al., Respondents
S101695 Petition for review DENIED.

4th Dist. In re Robert Bayly
E030396 on
Div. 2 Habeas Corpus
S101596 Petition for review DENIED.

4th Dist. Dustin William Lowery, Petitioner
E030576 v.
Div. 2 Riverside County Superior Court, Respondent
S102096 People, Real Party in Interest
Application for stay and petition for review DENIED.

4th Dist. Laura Alvarado, Petitioner
E030787 v.
Div. 2 Riverside County Superior Court, Respondent
S103092 People, Real Party in Interest
Request for judicial notice granted.
Application for stay and petition for review DENIED.

4th Dist. In re the Marriage of Barbara and James Helfrich
G025155 -----
Div. 3 Barbara Helfrich, Appellant
S101803 v.
I.A.M. National Pension Fund, Respondent
Petition for review DENIED.

4th Dist. People, Respondent
G026500 v.
Div. 3 Leslie James Allman, Appellant
S102377 Petition for review DENIED.

4th Dist. People, Respondent
G026507 v.
Div. 3 Lawrence Salvator Martino, Appellant
S102447 Petition for review DENIED.
Kennard, J., Baxter, J., and Chin, J., are of the opinion the
petition should be granted.

4th Dist. People, Respondent
G026553 v.
Div. 3 Thaddeus Eugene Smith, Appellant
S102339 Petition for review DENIED.

4th Dist. People, Respondent
G027034 v.
Div. 3 Dashon Tywan Jackson, Appellant
S102474 Petition for review DENIED.

4th Dist. Save Mile Square Park Committee, Appellant
G027787 v.
Div. 3 County of Orange, Respondent
S102402 Petition for review DENIED.

4th Dist. In re Joaquin O., a Person Coming Under the Juvenile Court Law
G028245 -----
Div. 3 People, Respondent
S102070 v.
Joaquin O., Appellant
Petition for review DENIED.

4th Dist. G028486 Div. 3 S102331	In re Sasha A., a Person Coming Under the Juvenile Court Law ----- Orange County Social Services Agency, Respondent v. Joe H. et al., Appellants Petitions for review DENIED.
5th Dist. F033191 S102188	People, Respondent v. Kenzel Warfield, Appellant Petition for review DENIED. Baxter, J., was recused and did not participate.
5th Dist. F033539 F037604 S102217	People, Respondent v. Dale Lloyd Cottrell, Appellant ----- In re Dale Lloyd Cottrell on Habeas Corpus Petition for review DENIED. Baxter, J., was recused and did not participate.
5th Dist. F034134 S101704	People, Respondent v. David Rainwater, Appellant Petition for review DENIED.
5th Dist. F034157 S102224	People, Respondent v. Chris John Lynch, Appellant Petition for review DENIED.
5th Dist. F034482 S102443	People, Respondent v. Edgar Arellano, Appellant Petition for review DENIED.
5th Dist. F034776 S102450	People, Respondent v. Edward Rivas, Appellant Petition for review DENIED.

5th Dist. F035169 S102531	People, Respondent v. Sean Daniel Powell, Appellant Petition for review DENIED.
5th Dist. F035230 S102168	People, Respondent v. Rafael Sullivan, Appellant Petition for review DENIED.
5th Dist. F035283 S102538	People, Respondent v. Gerald Robert Acosta, Appellant Petition for review DENIED. The request for an order directing publication of the opinion is denied.
5th Dist. F035299 S102248	People, Respondent v. Fermin Brandon Torres Jr., Appellant Petition for review DENIED.
5th Dist. F035461 S102542	People, Respondent v. Willard Bagsby, Jr., Appellant Petition for review DENIED.
5th Dist. F036300 S102506	People, Respondent v. Thomas Jerry Caudle, Appellant Petition for review DENIED.
5th Dist. F036407 S102384	People, Respondent v. Joshua E. Pratter, Appellant Petition for review DENIED.
5th Dist. F036679 S102427	People, Respondent v. Shawn Patrick Bell, Appellant Petition for review DENIED.

5th Dist. People, Respondent
F037198 v.
S102242 Jacob Ray Blair, Appellant
Petition for review DENIED.
Baxter, J., was recused and did not participate.

5th Dist. People, Respondent
F037354 v.
S102496 Manuel Perez Lopez, Appellant
Petition for review DENIED.

5th Dist. People, Respondent
F037401 v.
S102170 Ruben Valenzuela Quevedo, Appellant
Petition for review DENIED.

5th Dist. Alan D. Barbour et al., Petitioners
F037546 v.
S102083 Fresno County Superior Court, Respondent
Sierra Sky Park Property Owners Association et al.,
Real Parties in Interest
Petition for review DENIED.

5th Dist. Victor Vevea, Petitioner
F039194 v.
S102364 Kern County Superior Court, Respondent
Robin Sue Dickerson, Real Party in Interest
Petition for review DENIED.
Baxter, J., was recused and did not participate.

5th Dist. In re Larnette Coltar
F039229 on
S102579 Habeas Corpus
Petition for review DENIED.

5th Dist. JMH International (Philippines), Inc., Petitioner
F039491 v.
S103086 Kern County Superior Court, Respondent
Edgar M. Shuster, Real Party in Interest
Application for stay and petition for review DENIED.
Baxter, J., was recused and did not participate.

6th Dist. H020880 S102468	People, Respondent v. Jesus Loya Gutierrez, Appellant Petition for review DENIED.
6th Dist. H020983 S102287	People, Respondent v. Sukwinder Sahota et al., Appellants Petitions for review DENIED.
6th Dist. H021008 S101886	In re the Marriage of Deborah W. and Ronald T. Baker ----- Deborah W. Baker, Respondent v. Ronald T. Baker, Appellant Petition for review DENIED.
6th Dist. H021014 S102495	People, Respondent v. Santiago Marco Savedra, Jr., Appellant Petition for review DENIED.
6th Dist. H021269 S102477	People, Respondent v. David Arthur Smith, Appellant Petition for review DENIED.
6th Dist. H021475 S102550	People, Respondent v. Carlos Augusto Bran, Appellant Petition for review DENIED.
6th Dist. H021664 H021697 S102365	People, Respondent v. Juan Carlos Ambris Ceja, Appellant And Companion Case Petition for review DENIED.
6th Dist. H021804 S102597	People, Respondent v. Steven Lewis Bryant, Appellant Petition for review DENIED.

6th Dist. People, Respondent
H021812 v.
S102292 Robert Irawyatt Esquivel, Appellant
Petition for review DENIED.

6th Dist. People, Respondent
H021859 v.
H023204 Frank Aconda Mejia, Appellant
S102264 -----
In re Frank Aconda Mejia on Habeas Corpus
Petition for review DENIED.

6th Dist. People, Respondent
H021930 v.
S102561 Rene Benjamin Fonseca, Appellant
Petition for review DENIED.

6th Dist. People, Respondent
H021996 v.
S102559 Reggie Lovic Seagraves, Appellant
Petition for review DENIED.

6th Dist. People, Respondent
H022166 v.
S102226 Sam Perry Jackson, Appellant
Petition for review DENIED.

6th Dist. In re Vincent B., a Person Coming Under the Juvenile Court Law
H022368 -----
H023198 Santa Clara County Dept. of Family & Children's Svcs., Respondent
S102594 v.
Diane B., Appellant

In re Diane B. on Habeas Corpus
Petition for review DENIED.

6th Dist. In re Jesus L. Gutierrez
H022997 on
S102470 Habeas Corpus
Petition for review DENIED.

6th Dist. In re Christopher Barnes
H023086 on
S101543 Habeas Corpus
Petition for review DENIED.

6th Dist. In re Diane B.
H023568 on
S102250 Habeas Corpus
Petition for review DENIED.

2nd Dist. San Luis Obispo County Farmers' Market Association, Respondent
B140122 v.
Div. 6 California Department of Food and Agriculture, Appellant
S098653 Dennis Smith, Real Party in Interest
The request for an order directing publication of the opinion in
the above-entitled appeal is denied.

2nd Dist. Barry Prim, Appellant
B141127 v.
Div. 4 Santa Catalina Island Co. et al., Respondents
S098322 The request for an order directing publication of the opinion in
the above-entitled appeal is denied.

2nd Dist. In re Teresa H. and Mister N.,
B145480 Persons Coming Under the Juvenile Court Law
Div. 1 -----
S101987 Dept. of Children & Family Svcs., Los Angeles County,
Plaintiff and Respondent
v.
Robbie R., Defendant and Appellant
Joe Anne R., Defendant and Appellant
The request for an order directing publication of the opinion in
the above-entitled appeal is denied.

4th Dist. In re Emily K., a Person Coming Under the Juvenile Court Law
E029303 -----
Div. 2 San Bernardino County Dept. of Children's Services,
S102164 Plaintiff and Appellant
v.
Julio R., Defendant, Cross-complainant and Appellant
The request for an order directing publication of the opinion in
the above-entitled appeal is denied.

5th Dist. Kimberly A. McAbee, Respondent
F033683 v.
S098223 Richard Groves, Appellant
The request for an order directing publication of the opinion in
the above-entitled appeal is denied.
Baxter, J.recnotreclnot

5th Dist. Emil Dabbas et al., Appellants
F034072 v.
S099868 Glendale Federal Savings and Loan Association et al., Respondents
The request for an order directing publication of the opinion in
the above-entitled appeal is denied.

6th Dist. People, Respondent
H021663 v.
S102203 David Rabago, Appellant
The request for an order directing publication of the opinion in
the above-entitled appeal is denied.

S099384 In re the Accusation of Charles E. Duncan, Jr.
Against an Attorney
Petition DENIED.

S099555 In re the Accusation of Sheryl King
Against an Attorney
Petition DENIED.

S099821 In re the Accusation of Allan Kretzmar
Against an Attorney
Petition DENIED.

- S100008 In re the Accusation of Erik Rost
 Against an Attorney
 Petition DENIED.
- S100055 In re the Accusation of Anthony Dominguez
 Against an Attorney
 Petition DENIED.
- S100213 In re the Accusation of Manuel Halperin
 Against an Attorney
 Petition DENIED.
- S100308 In re the Accusation of Charles J. Tittle
 Against an Attorney
 Petition DENIED.
- S100324 In re the Accusation of Florence Ruskey
 Against an Attorney
 Petition DENIED.
- S100984 In re the Accusation of Harold Hermann
 Against an Attorney
 Petition DENIED.
- S101145 In re the Accusation of David Fink
 Against an Attorney
 Petition DENIED.
- S101226 In re the Accusation of Kathleen Melez
 Against an Attorney
 Petition DENIED.
- S101232 In re the Accusation of William Lee Wright, Jr.
 Against an Attorney
 Petition DENIED.
- S101441 In re the Accusation of Saeed Naghavian
 Against an Attorney
 Petition DENIED.

- S101483 In re the Accusation of Willie Lee Carpenter
Against an Attorney
Petition DENIED.
- S101554 In re the Accusation of Rene McIntyre
Against an Attorney
Petition DENIED.
- S101632 In re the Accusation of Anthony A. Washington
Against an Attorney
Petition DENIED.
- S101862 In re the Accusation of Edward Cain
Against an Attorney
Petition DENIED.
- S101901 In re the Accusation of David P. Alan
Against an Attorney
Petition DENIED.
- S021054 People, Respondent
v.
Richard Russell Moon, Appellant
On application of appellant and good cause appearing, it is
ordered that the time to serve and file appellant's opening brief is
extended to and including March 5, 2002.
- S023835 People, Respondent
v.
Jesse Morrison, Appellant
On application of respondent and good cause appearing, it is
ordered that the time to serve and file respondent's brief is extended
to and including March 8, 2002.
- S024416 People, Respondent
v.
Dellano Leroy Cleveland and Chauncey Jamal Veasley, Appellants
Good cause appearing, Assistant State Public Defender Donald
J. Ayoob's request for an extension of time in which to file the
appellant's opening brief in behalf of *Dellano Leroy Cleveland* is

granted to February 26, 2002. The court anticipates that after that date, only one further extension totaling 60 additional days will be granted. Counsel is ordered to inform his or her assisting entity, if any, and any assisting attorney or entity of any separate counsel of record of this schedule, and take all steps necessary to meet this schedule.

S027766 People, Respondent

v.

Stephen Cole, Appellant

Good cause appearing, and based upon counsel Richard P. Siref's representation that he anticipates filing the appellant's opening brief by January 31, 2002, counsel's request for an extension of time in which to file that brief is granted to January 31, 2002. After that date, no further extension will be granted.

S035348 People, Respondent

v.

Robert Smith, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including March 1, 2002.

S042278 People, Respondent

v.

Mary Ellen Samuels, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including March 1, 2002.

S057242 People, Respondent

v.

Christopher Alan Spencer, Appellant

Good cause appearing, and based upon counsel Emry J. Allen's representation that counsel anticipates filing the request for correction of the record by February 25, 2002, counsel's request for an extension of time in which to file that brief is granted to February 25, 2002. After that date, no further extension will be granted.

S098962 In re Curtis Garrett
 on
 Habeas Corpus

On application of the Attorney General and good cause appearing, it is hereby ordered that the time to serve and file respondent's informal response is extended to and including January 16, 2002.

S102580 In re Richard Bert Stewart
 on
 Habeas Corpus

Good cause appearing, counsel's request for an extension of time in which to file the informal response is granted to February 4, 2002. The court anticipates that after that date, only eight further extensions totaling 240 additional days will be granted. Counsel is ordered to take all steps necessary to meet this schedule.

S015384 People, Respondent
 v.

Richard Lacy Letner and Christopher Allan Tobin, Appellants

Good cause appearing, and based upon Senior Deputy State Public Defender Alison Pease's representation that she anticipates filing the appellant's opening brief on behalf of appellant Christopher Allan Tobin by the second full week of July 2002, counsel's request for an extension of time in which to file that brief is granted to March 5, 2002. After that date, only three further extensions totaling 130 additional days are contemplated.

S014356 People, Respondent
 v.
 Pedro Arias, Appellant

"Petitioner's Request & Waiver re Service" is denied; "Petitioner's Request for No More Mail" is denied without prejudice. (See Supreme Ct. Policies Regarding Cases Arising From Judgments of Death, policy 4 [as amended Dec. 19, 2001].)

S094490 People, Respondent
5th Dist. v.
F030690 Myron Carlyle Mower, Appellant

Appellant's "Motion for an Order to Substitute Counsel," etc., filed on November 29, 2001, is denied.

Baxter, J., was recused and did not participate.

S102300 Robert Lafrenier, Petitioner

v.

Workers' Compensation Appeals Board, Respondent

Diversified Moving Systems et al., Real Parties in Interest

The above entitled matter is transferred to the Court of Appeal,
Third Appellate District.

2nd Dist. Karoun Dairies, Inc.

B147754 v.

Multivac, Inc.

The above-entitled matter, now pending in the Court of Appeal,
Second Appellate District, is transferred from Division Five to
Division Eight.

2nd Dist. Transfer Orders

Div. 1 The below-entitled matters, now pending in the Court of Appeal,
Second Appellate District, are transferred from Division One to
Division Eight.

B144965 Randy Richotte v. Moon Nissan, A.I.G., Inc.

B147829 The People v. Kwamin Preston Stewart

2nd Dist. Transfer Orders

Div. 7 The below-entitled matters, now pending in the Court of Appeal,
Second Appellate District, are transferred from Division Seven to
Division Eight.

B150408 Barry Richmond, D.P.M. v. California Dept. of
Health Services

B151324 The People v. Felton Mashawn Marks

S101558 In re **Larry Howard Kreueger** on Discipline

It is hereby ordered that **Larry Howard Kreueger, State Bar No. 46885**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S101663 In re **Gary Robert Odom** on Discipline

It is ordered that **Gary Robert Odom, State Bar No. 77617**, be suspended from the practice of law for three years, that execution of the suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for two years and six months and until he completes restitution as specified and until he has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on August 21, 2001, as modified by its order filed October 5, 2001. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2003 and 2004.
*(See Bus. and Prof. Code, § 6126, subd. (c).)

S101667 In re **Juan Manuel Nunez** on Discipline

It is ordered that **Juan Manuel Nunez, State Bar No. 165540**, be suspended from the practice of law for three years, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for two years and until he makes restitution to Anabel Godoy (or the Client Security Fund, if appropriate) in the amount of \$1200 plus 10% interest per annum from July 1, 2000, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel, as recommended by the Hearing Department of the State Bar Court in its decision filed on August 17, 2001; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California; and until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for

Professional Misconduct. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for termination of his actual suspension. Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S101669 In re **Gene Mindel** on Discipline

It is ordered that **Gene Mindel**, **State Bar No. 176828**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 60 days as recommended by the Hearing Department of the State Bar Court in its decision filed on August 23, 2001; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. He is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If **Gene Mindel** is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) If **Gene Mindel** is actually suspended for 90 days or more, it is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S101673 In re **Thomas Craig Nelson** on Discipline

It is ordered that **Thomas Craig Nelson, State Bar No. 82506**, be suspended from the practice of law for five years and until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for five years on condition that he be actually suspended for 18 months. He is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 31, 2001. It is also ordered that he take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) **Thomas Craig Nelson** is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.
*(See Bus. and Prof. Code, § 6126, subd. (c).)

S101676 In re **Herbert David White** on Discipline

It is ordered that **Herbert David White, State Bar No. 163930**, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for six months and until he makes restitution to Nicole Hurley (or the Client Security Fund, if appropriate) in the amount of \$1,500.00 plus 10% interest per annum from July 8, 1999, and to Sandra Anderson (or the Client Security Fund, if appropriate) in the amount of \$10,000.00 plus 10% interest per annum from January 1, 1998, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel, as recommended by the Hearing Department of the State Bar Court in its decision filed on June 29, 2001, as modified by its order filed August 15, 2001; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. **Herbert David White** is also ordered to comply with the conditions of probation, if any,

hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If **Herbert David White** is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

